

EXHIBIT 9

From: [Joey Mogul](#)
To: [Allyson West](#)
Cc: [Roshna Bala Keen](#); [Tiffany Fordyce](#); [Brad Thomson](#); [Anthony Zecchin](#); [Ben Elson](#); [Flynn, Kyle L. \(Assoc-Chi-LT\)](#); [Futtermann, Craig](#); [Izeta Causevic](#); [John Gibbons](#); [John Stainthorp](#); [Julie Goodwin](#); [Kassie Henrikson](#); [Laura Luisi](#); [Octavia Jackson](#); [Scott Dorsett](#); [Scott Drury](#)
Subject: Re: Batchelor and Bailey - Meet and Confer on Defendants' Depositions and Polygraph Materials
Date: Friday, July 31, 2020 5:30:54 PM
Attachments: [2020.07.31.SecondAmendedNoticeDefendant Depositions.pdf](#)

Dear Counsel,

Today, we met and conferred about proceeding with the Defendant Officers' depositions we noticed in the amended notice of depositions sent on July 28, 2020. We agreed to proceed with Defendant Winistofer's deposition on August 20, 2020 beginning at 11 a.m., conditioned on the deponent being available for the full seven hours should that be necessary. Plaintiffs' counsel will conduct the deposition via zoom of Defendant Winistofer who will be present with his counsel at an office. We also agreed to proceed with Defendant Flood's deposition at 10 a.m. on September 10, 2020. Again, Plaintiff's counsel will proceed with the deposition via zoom. Please see the attached second amended notice of deposition.

You indicated you wished to present Defendant McGovern virtually for his deposition but you have not provided a date for that deposition. We ask that you provide us possible dates for his deposition by the close of business on Tuesday, August 4, 2020. You indicated Defendant Bosco is located in Chicago and you would like to present him in person for his deposition. We ask that you provide us a date for his deposition the week of September 14, 2020. Again, please provide us possible dates for Defendant Bosco's deposition by the close of business on Tuesday, August 4, 2020.

Additionally, you informed us that Defendant McWeeny is in Florida and you want to figure out how to present him in person. Florida is a state that currently requires Chicagoans to self-quarantine after they have visited the state which we understand presents some complications. We ask that you come up with some possible dates to pursue his deposition in September, whether they are in person or via zoom.

During the call, we also continued the discussion regarding the City's answers to Plaintiff Batchelor's Third Set of Interrogatories and Second Set of Requests for Production of Documents/Plaintiff Bailey's Third Set of Interrogatories and Fourth Set of Requests for Production of Documents. Regarding Interrogatory No. 1 and Request Number 2, the City said it was standing on its position that it needs three weeks to first determine if there is a less burdensome way to find the requested polygraph information, at which point it may assert further objections or seek to narrow the request. The City made clear that it does not intend to produce responsive documents at the end of the three-week period. Tiffany stated that she hopes to have a discussion this afternoon with someone within the City who can provide further insight. Tiffany agreed to provide an update on the issue at the end of the day today. The City has not responded to any of the other issues/proposals made in Ben Elson's July 22, 2020 email, despite him asking for a response on or before July 29, 2020. Please provide any response by the close of business on August 3, 2020. Plaintiffs will view the lack of a response as the parties having reached an impasse.

Sincerely

Joey Mogul